

## **REMARKS**

The enclosed is responsive to the Examiner's Office Action mailed on June 27, 2005. At the time the Examiner mailed the Office Action claims 1-3, 6, 8, 9, 11-13 and 15 were pending. By way of the present response the Applicants have: 1) amended no claims, 2) added no new claims; and 3) canceled no claims. As such, claims 1-3, 6, 8, 9, 11-13 and 15 are now pending. The Applicants respectfully request reconsideration of the present application and the allowance of all claims now presented.

### **Claim Rejections**

Claims 1-3, 6, 8-9, 11-13 and 15 stand rejected under 35 U.S.C. 103(a) as being unpatentable by Fan et al., U.S. Patent No. 5,815,126 (hereinafter "Fan") in view of Tamura et al., Pub. No. U.S. 2002/0055215 (hereinafter "Tamura"), and Estevez et al., Pub. No. U.S. 2003/0017846 (hereinafter "Estevez");

In regards to claim 1, the Examiner states:

Furthermore, it is noted that both Fan and Tamura does not specifically disclose that the video data is a bitmap file. Estevez is cited to teach a wireless display device similar to Fan and Tamura. Estevez teaches that the display receives the compressed bitmap data and decompresses the bit-map data (page 1, pp0020).

(Office Action, page 3, para 2).

Applicants agree that Estevez discloses receiving and decoding of compressed bit-map data. However, Estevez receives this compressed data by contrastingly different means than Tamura. One skilled in the art would not think to combine the teachings of Tamura with Estevez in order to devise claim 1. Hence, there is inadequate motivation to combine Estevez with Tamura and Fan.

Evidence for the motivation to combine references under 35 U.S.C. § 103 must come from either 1) within the references themselves or 2) in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. See In re Lee, 277 F.3d 1338, 1344 (Fed. Cir. 2002), In re Thrift, 298 F.3d 1357, 1361 (Fed. Cir. 2002) and the Manual of Patent Examining Procedure section 2143.

The Office Action has provided inadequate motivation to combine the cited references under 35 USC § 103. The motivational reason given to combine the Estevez reference with both Tamura and Fan was “to compress[ing], decompress[ing] and display[ing] the video image in real-time.” (Office Action 6/27/05, p. 3). The Office Action cites no hints or suggestions in any of the references that actually suggests the combination of these three references. Tamura makes no suggestion that the compressed video data to be received and decompressed comes in a bitmap format. Estevez makes no suggestion that transmission of the video data may be transmitted via the Bluetooth wireless protocol. Fan only suggests that the a headset may receive the transmission in general. In stark contrast, Estevez specifically teaches away

from such a transmission protocol by specifically disclosing that the transmission protocol to be used is 802.11.

Furthermore, Estevez states that such a transmission would be received through the standard PCMCIA card format. Such a format as PCMCIA is limited to laptop computers or a desktop computer containing a 3rd party PCMCIA slot. Hence, Estevez is clearly stating that the receiving and decompressing of video data occurs on a desktop or laptop computer containing a PCMCIA port. This specifically teaches away from claim 1 which comprises a headset and not a laptop or desktop computer. Nothing in Fan suggests that instead of a headset receiving the transmission, a laptop or desktop computer may be used instead.

The reasoning provided does not make particular findings of fact as to why a person skilled in the art of video compression codecs' and wireless transmissions would find the suggestion to use the 802.11 wireless protocol and PCMCIA card format taught by Estevez along with the contrasting Bluetooth wireless protocol of Tamura by implementing the receiving and decompressing of compressed bitmap video data sent through a Bluetooth network. The applicant requests a specific citing of facts to establish a prima facie case of obviousness by a preponderance of the evidence under 35 USC § 103.

Since the Examiner did not cite in either of the references where one skilled in the art of video compression codecs and wireless transmissions would find the suggestion to combine Estevez which teaches 802.11 transmissions through a PCMCIA card into a laptop or desktop computer with the Bluetooth transmission taught in Tamura into a wireless headset taught by Fan, applicants

respectfully submit impressive use of hindsight has occurred and the obviousness rejection of claim 1 has been overcome.

Dependent claims 2, 3, 6 and 7 depend upon and include the limitations of claim 1. Hence, the combination of Fan, Tamura and Estevez fail to make claims 2, 3, 6 and 7 obvious under 35 U.S.C. §103(a).

Independent claims 8 and 13 also the limitations of claim 1. Therefore, for the same reasons listed above in regards to claim 1, The combination of Fan, Tamura and Estevez fail to make claims 8 and 14 obvious under 35 U.S.C. §103(a).

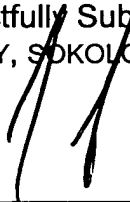
Dependent claims 9, 11, 12 and 15 depend upon and include the limitations of independent claims 8 and 13. Therefore, the combination of Fan, Tamura and Estevez fail to make claims 9, 11, 12 and 15 obvious under 35 U.S.C. §103(a).

## CONCLUSION

Applicant respectfully submits that all rejections have been overcome and that all pending claims are in condition for allowance.

If there are any additional charges, please charge them to our Deposit Account Number 02-2666. If a telephone conference would facilitate the prosecution of this application, the Examiner is invited to contact Thomas C. Webster at (408) 720-8300.

Respectfully Submitted,  
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